

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0146.SH Govalle Land

PC Date: November 13, 2007

ADDRESS: 1100 Linden Street

OWNER/AGENT: Govalle Partners, Ltd (Michael Casias)

ZONING REQUEST

<u>TRACT</u>	<u>ZONING FROM</u>	<u>ZONING TO</u>
Tract 1	SF-3-NP	MF-3-NP (plan amendment required)
Tract 2	SF-3-NP	SF-4A-NP
Tract 3	MF-3-NP	SF-4A-NP
Tract 4	MF-3-NP	MF-3-NP

AREA: 2.98 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends:

<u>TRACT</u>	<u>ZONING</u>
Tract 1	MF-3-NP
Tract 2	SF-4A-CO-NP
Tract 3	SF-4A-CO-NP
Tract 4	MF-3-CO-NP

Staff recommends a conditional overlay limiting total vehicular trips across all the tracts to less than 2000 cumulative daily trips.

PLANNING COMMISSION RECOMMENDATION:

November 13, 2007: Postponed to November 27 at the request of the neighborhood.

November 27, 2007: Postponed to December 11 at the request of staff.

December 11, 2007:

DEPARTMENT COMMENTS:

This property is currently undeveloped. It consists of roughly 3 acres surrounding an existing nursing home, and continuing down Linden Street.

The zoning request is to upzone tract 1 from SF-3-NP to MF-3-NP, upzone tract 2 from SF-3-NP to SF-4A-NP and downzone tract 3 from MF-3 to SF-4NP. The zoning on tract 4 is not requested to change, and would remain MF-3.

The rezoning of tract 1 from single family uses to multi-family uses would require a neighborhood plan amendment which has been submitted and is a separate case (NPA-2007-0016.02).

Staff recommends approval of the zoning request.

The net amount of multi-family zoning across all tracts will remain essentially unchanged, and in fact, will slightly decrease. The multi-family zoning will be moved from the internal streets out to Govalle street.

This project has been certified as a S.M.A.R.T. housing project and would provide 10% of its units affordable to families earning 50% of median family income and an additional 10% affordable to families earning 60% MFI.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP and MF-3-NP	Undeveloped
<i>North</i>	MF-3-NP	Nursing Home
<i>South</i>	SF-3-NP	Single Family Homes
<i>East</i>	SF-3-NP	Single Family Homes
<i>West</i>	SF-3-NP	Single Family Homes

AREA STUDY: The property lies within the proposed Johnston Terrace Neighborhood Planning Area. The future land use map for this neighborhood plan designates tracts 1 and 2 for single family use and tracts 3 and 4 for multifamily use

TIA: A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

WATERSHED: Boggy Creek

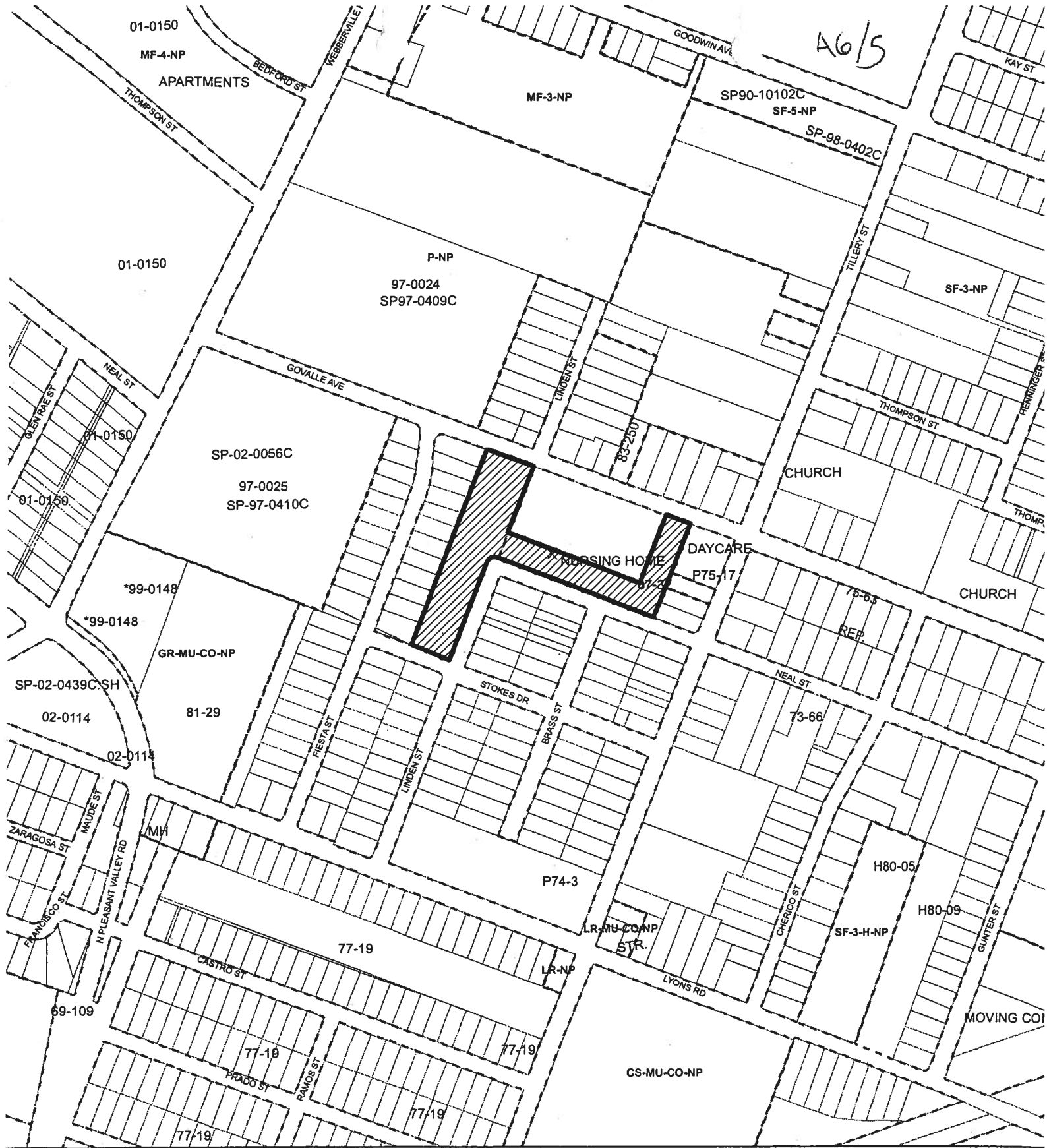
DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

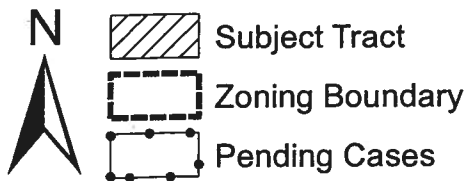
HILL COUNTRY ROADWAY: No

REGISTERED COMMUNITY ORGANIZATIONS:

- Govalle Johnston Terrace Neighborhood Planning Team
- El Concilio
- Austin Neighborhoods Council
- PODER – People Organizes to Defend Earth and her Resources
- SPEAK – Sentral Plus East Austin Koalition



ZONING



ZONING CASE#: C14-2007-0146.SH
 ADDRESS: 1100 LINDEN ST
 SUBJECT AREA: 2.98 ACRES
 GRID: L22
 MANAGER: R. HEIL



1" = 400' OPERATOR: SM

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



GOVALLE

NEALE

BRASS

STOKES

LINDEN

EVESIA

LINDEN

①

②

③

④

SF-2-NP

P-NP

P

P-NP

SF-3-NP

SF-2-NP

SF-2-NP

MF-3-NP

NP

SF-3-NP

SUMMARY STAFF RECOMMENDATION

Staff recommends:

<u>TRACT</u>	<u>ZONING</u>
Tract 1	MF-3-NP
Tract 2	SF-4A-CO-NP
Tract 3	SF-4A-CO-NP
Tract 4	MF-3-CO-NP

Staff recommends a conditional overlay limiting total vehicular trips across all the tracts to less than 2000 cumulative daily trips.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses and development intensities.*

SF-4 zoning provides an appropriate transition from the single family zoning on the interior of the neighborhood and the multifamily zoning on Govalle. The net amount of multi-family zoning across all tracts will remain essentially unchanged, but will be moved from the internal streets out to Govalle street.

2. *Granting of the request should be in accord with adopted comprehensive plans.*

The granting of this request is accord with the overall goals of the Govalle neighborhood plan. (See NPA-2007-0016.02 for further discussion.

3. *Granting of the request should support City policies and goals.*

This project has been certified as a S.M.A.R.T. housing project and would provide 10% of its units affordable to families earning 50% of median family income and an additional 10% affordable to families earning 60% MFI.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Compatibility Standards

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards within the proposed MF-3 portion of this proposal:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone/ Desired Development Zone.

Impervious cover is not limited in this watershed class. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

According to flood plain maps, there is no flood plain within the project area.

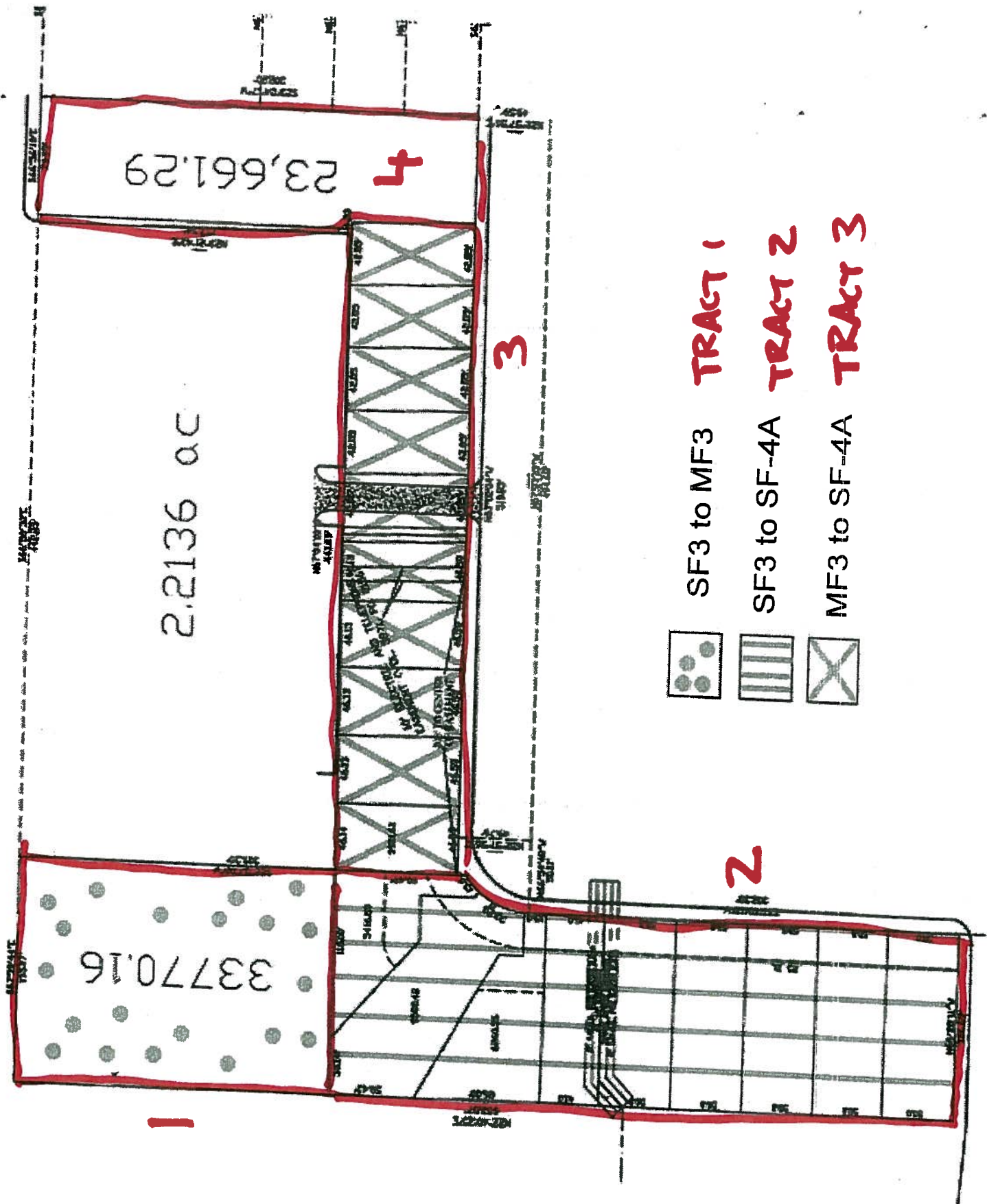
At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.




Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



-  SF3 to MF3 **TRACT 1**
-  SF3 to SF-4A **TRACT 2**
-  MF3 to SF-4A **TRACT 3**

GOVALLE STREET DEVELOPMENT
Request for Neighborhood Support
Term Sheet

DEVELOPMENT PROPOSAL

Esperanza Development proposes to subdivide two (2) large multifamily and single-family tracts into nineteen (19) single-family and two (2) multifamily MF-3 tracts

TRACT 1: 2.11 acres out of the Outlot 44, Division A, Travis County, Texas.

TRACT 2: 1.41 acres out of the Outlot 43, Division A, Travis County, Texas.

Zoning Changes, per exhibit A, attached

1. Downzone the Neal frontage of Tract 2 from MF3 to SF-4A.
2. Rezone the Govalle frontage of Tract 1 from SF3 to MF3
3. Rezone the Linden frontage of Tract 1 from SF3 to SF-4A

Neighborhood Plan Amendment

After review and approval, the Govalle/Johnston Terrace Neighborhood Planning Team

supports the Esperanza Development, conditional on the zoning changes and other stipulations stated herein,

And requests submission of this Neighborhood Plan Amendment on behalf of Esperanza Development and Govalle Partners Ltd.

OTHER STIPULATIONS:

1. 10' Landscape buffer from property line shared by multi-family and single-family tracts.
2. Emergency exit only from MF3 Tract 2 to Neal Street. All other multifamily exit and entrance on Govalle Street.
3. 10% multi-family units rented or sold to families at or below 50% MFI or a non-profit/low income housing provider. Restrictive Covenant binding future owners for 15 years.
4. 10% multi-family units rented or sold to families at or below 60% MFI or a non-profit/low income housing provider. Restrictive Covenant binding future owners for 15 years.
5. Reduce per §25-2-562 MF3 site area requirements by 30%.
6. No greater than 30% of the multi-family units will be efficiency units.
7. 20% of SF will be sold to families at or below 80% MFI per City's SMART Housing requirements or to a qualified CHDO (Community Housing Development Organization).


AGREED TO AND ACCEPTED BY:

Michael N. Casias

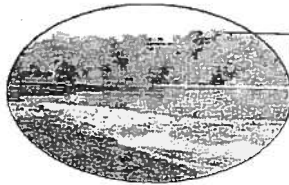

Esperanza Development Corporation

Date: 8/3/07

Daniel Llanes


Coordinator, Review Committee for
Govalle/Johnston Neighborhood Planning Team

Date: 8/3/07



RIVER BLUFF NEIGHBORHOOD ASSOCIATION

4907 Red Bluff Road, Austin, Texas 78702-5121

Letter of Support

After review and approval, the Govalle/Johnston Terrace Neighborhood Planning Team

Supports Esperanza Development's request for Neighborhood Plan amendment for the following:

Esperanza Development proposes to subdivide two (2) large multifamily and single-family tracts into nineteen (19) single-family and two (2) multifamily MF-3 tracts

TRACT 1: 2.11 acres out of the Outlot 44, Division A, Travis County, Texas.

TRACT 2: 1.41 acres out of the Outlot 43, Division A, Travis County, Texas.

conditional on the zoning changes and other stipulations stated in the Request for Neighborhood Support Term Sheet.

And

Requests submission of this Neighborhood Plan Amendment on behalf of Esperanza Development and Govalle Partners Ltd.

Please feel free to contact me directly if you need any further assistance from myself or the Review Committee.


Daniel Llanes

8/3/07

Coordinator, Review Committee for
Govalle/Johnston Terrace Neighborhood Planning Team
431-9665
dllanesrb@earthlink.net

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2007-0146.SH

Contact: Robert Heil, (512) 974-2330

Public Hearing:

November 13, 2007 Planning Commission

Tony T. Hernandez
Your Name (please print)

☐ I am in favor
☒ I object

3004 Govalle
Your address(es) affected by this application

Tony T. Hernandez 11-8-07
Signature Date

Comments: I object to this because
I want to see single family home
not duplexes being built. It will
makes the neighborhood look to
crowded.

I've live her since 1954 and I like
the neighborhood the way it is Only
Single Family home not duplexes.

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2007-0146.SH

Contact: Robert Heil, (512) 974-2330

Public Hearing:

November 13, 2007 Planning Commission

DAVID J. GONZALES

Your Name (please print)

1002 BRASS ST.

Your address(es) affected by this application

David J. Gonzales

Signature

Date

11/6/07

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Robert Heil

P. O. Box 1088

Austin, TX 78767-8810



City of Austin

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

Neighborhood Housing and Community Development Department

Gina Copic, S.M.A.R.T. Housing Program Manager
(512) 974-3180, Fax: (512) 974-3112, regina.copic@ci.austin.tx.us

7/30/2007

S.M.A.R.T. Housing Certification

The Govalle Land - Esperanza Development Corporation

TO WHOM IT MAY CONCERN:

Esperanza Development Corporation and Govalle Partners, Ltd. (development contacts: Michael Casias, 512-480-9844 (o); 512-480-8144 (f); mcasias@esperanzadev.com; and Dolly Shiu; 512-480-9844 (o), 512-480-8144 (f); dshiu@esperanzadevelopment.com) are planning to develop a **50 unit multi-family and 18 unit single family development** (total of **68** residential units). The addresses are located on two tracts on Govalle, Neal, and Linden Streets. The applicant will seek a neighborhood plan amendment and zoning change. The reasonably priced units will be developed by other parties, and the applicant is in the process of establishing a restrictive covenant with the Govalle Neighborhood Planning Team.

NHCD certifies that the proposed construction meets S.M.A.R.T. Housing standards at the pre-submittal stage. Since **10%** of the units will serve families at **50%** Median Family Income (MFI) or below, and **10%** of the units will serve families at **60%** MFI or below the construction will be eligible for **50%** waiver of the fees listed in Exhibit A of the S.M.A.R.T. Housing Resolution adopted by the City Council.

The expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees
Building Permit
Concrete Permit
Site Plan Review
Construction Inspection

Electrical Permit
Mechanical Permit
Plumbing Permit
Subdivision Plan Review
Zoning Verification

Board of Adjustment Fee
Zoning Fee
Land Status Determination
Building Plan Review

Prior to issuance of building permits and starting construction, the developer must:

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (**Multi-family:** Katie Jensen 482-5407; **Single-family:** Dick Peterson 482-5372).
- ◆ Submit plans demonstrating compliance with accessibility and transit-oriented standards.

Before a Certificate of Occupancy will be granted, the development must:

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ◆ Pass a final inspection to certify that accessibility and transit-oriented standards have been met.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the completion of the units, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Please contact me at 512-974-3126 if you need additional information.


Steve Barney

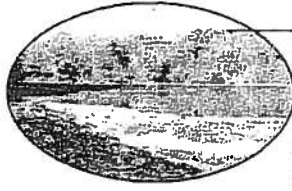
Neighborhood Housing and Community Development

Cc: Gina Copic, NHCD

John Umphress, Austin Energy
Robby McArthur, WWV Taps
Maureen Meredith, NPZD

Danny McNabb, WPDR
Dick Peterson, Austin Energy
Manecsh Chaku, NHCD

Guy Brown, WPDR
Lisa Nickle, WPDR
Yolanda Parada, WPDR



RIVER BLUFF NEIGHBORHOOD ASSOCIATION

4907 Red Bluff Road, Austin, Texas 78702-5121

Letter of Support

After review and approval, the Govalle/Johnston Terrace Neighborhood Planning Team

Supports Esperanza Development's request for Neighborhood Plan amendment for the following:

Esperanza Development proposes to subdivide two (2) large multifamily and single-family tracts into nineteen (19) single-family and two (2) multifamily MF-3 tracts

TRACT 1: 2.11 acres out of the Outlot 44, Division A, Travis County, Texas.

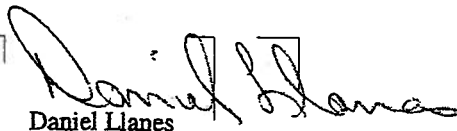
TRACT 2: 1.41 acres out of the Outlot 43, Division A, Travis County, Texas.

conditional on the zoning changes and other stipulations stated in the Request for Neighborhood Support Term Sheet.

And

Requests submission of this Neighborhood Plan Amendment on behalf of Esperanza Development and Govalle Partners Ltd.

Please feel free to contact me directly if you need any further assistance from myself or the Review Committee.


Daniel Llanes

8/3/07

Coordinator, Review Committee for
Govalle/Johnston Terrace Neighborhood Planning Team
431-9665
dllanesrb@earthlink.net

Comprehensive Plan for 3.52 Acres of Undeveloped Land

Neighborhood Plan Case Number: NPA-2007-0016.02
Rezoning Case Number: C14-2007.0146.SH



Govalle Avenue

Neal Street

Brass Street

Fiesta Street

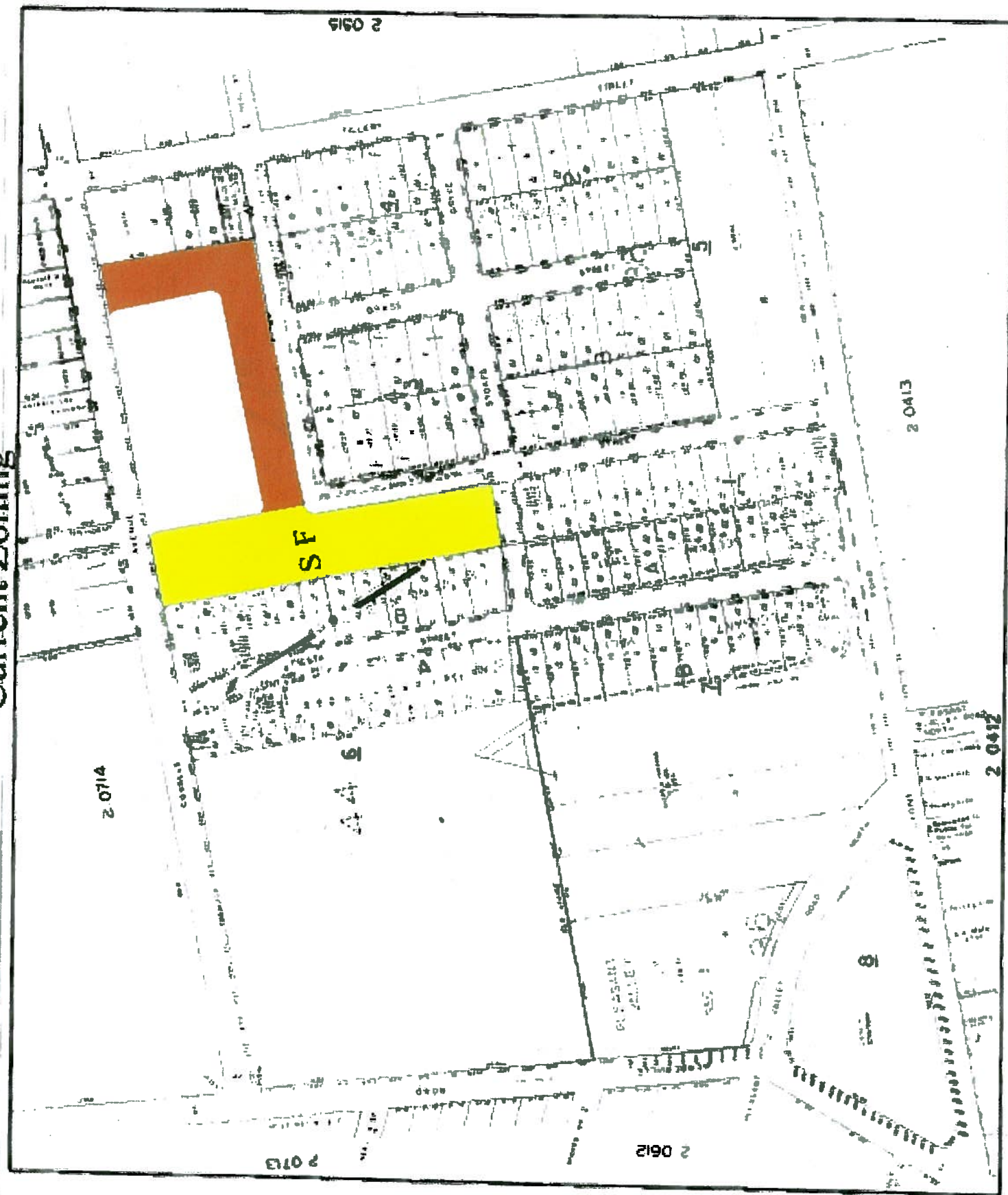
© 2007 Tele Atlas
© 2007 Europa Technologies

Google

Pointer 30°15'56.19" N 97°42'15.23" W elev 460 ft Streaming 100%

Eye alt 1462 ft

Current Zoning



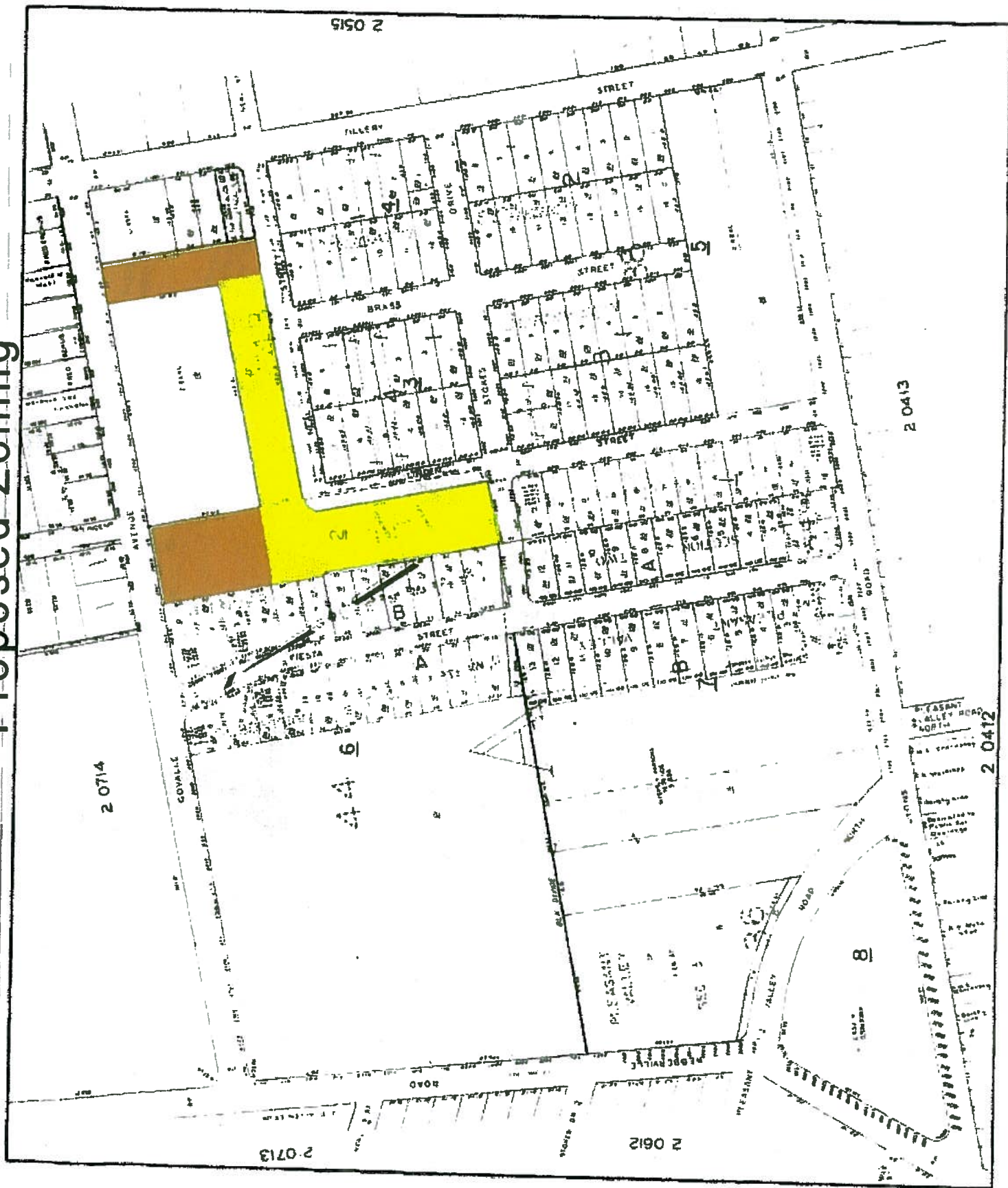
THE CITY OF CHICAGO
DEPARTMENT OF PLANNING AND DEVELOPMENT
100 NORTH LAKE STREET, SUITE 1000
CHICAGO, ILLINOIS 60601
TEL: (312) 424-2000
FAX: (312) 424-2001
WWW.CHICAGO.IL.GOV

SCALE
1" = 100'

LEGEND
ZONING
STREETS
WATER

MAP NO.
1001

Proposed Zoning

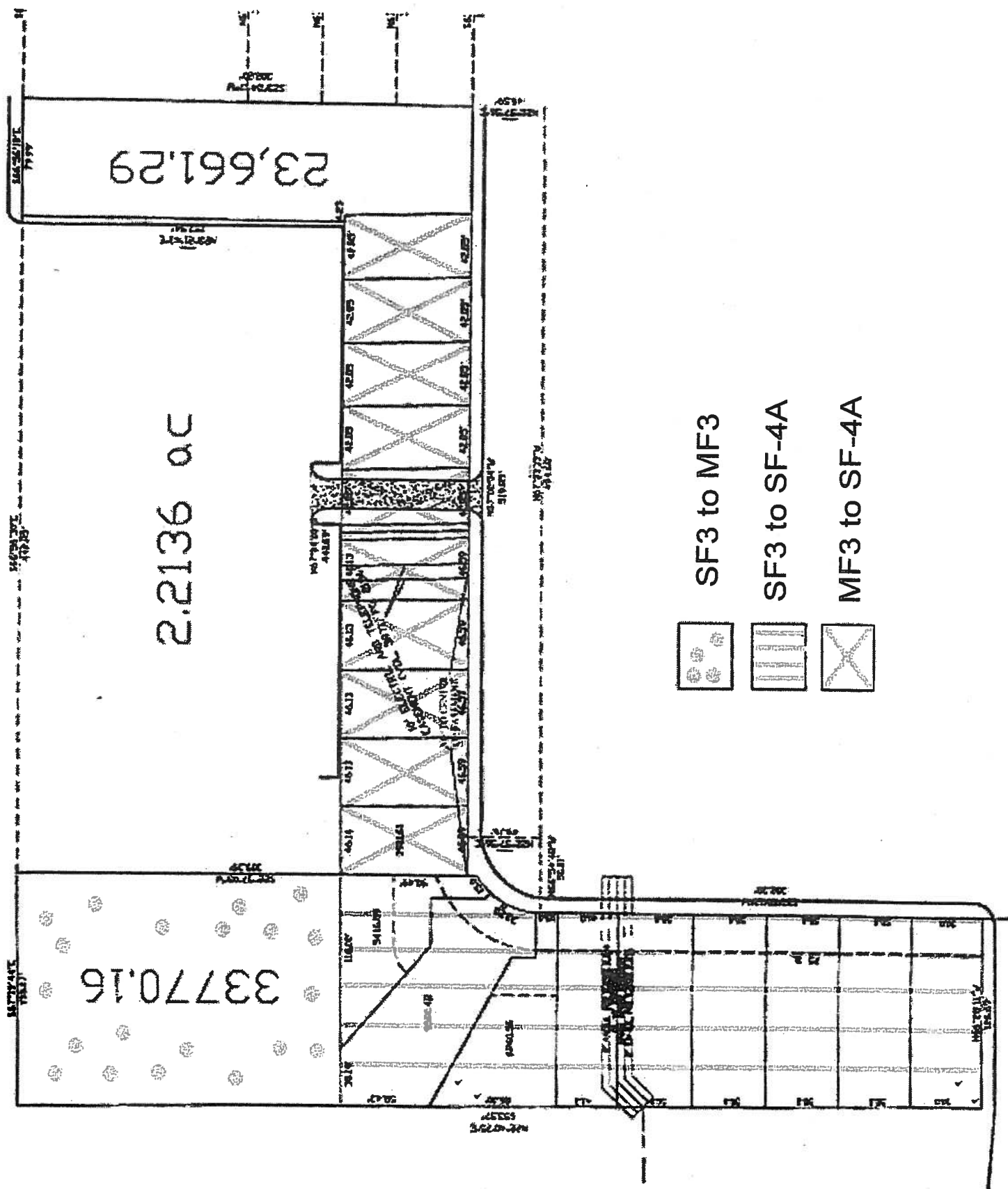


TRANS CENTRAL APPRAISAL DISTRICT
 8346 LOST HOLE DRIVE
 AUSTIN, TX 78754
 IF YOU WANT TO BUY OR SELL
 WWW.PAVAL.COM
 FOR MORE INFORMATION 1-800-555-5555

100
 100
 100

100
 100
 100

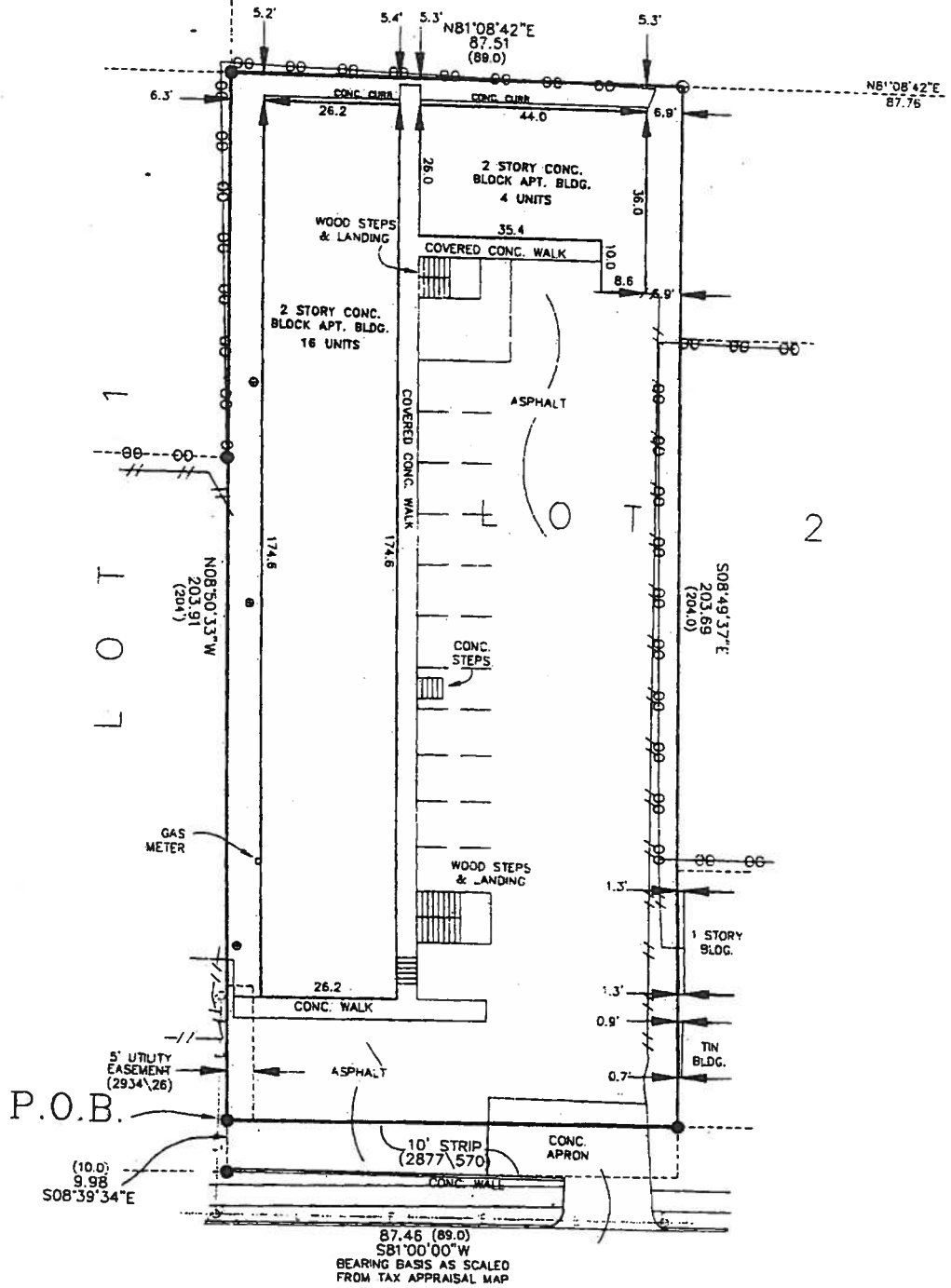
100
 100
 100



LOT 4

LOT

3



SURVEY OF
0.4093 ACRES (17,830 SQ. FT.) BEING THE WEST
HALF OF LOT 2 BLOCK 2 GEORGE L. ROBERTSON'S
SUBDIVISION OF OUTLOT 56 DIVISION B AS
RECORDED IN BOOK Z PAGE 616 PLAT RECORDS
OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT
THE SOUTH 10 FEET AS CONVEYED IN VOLUME
2877 PAGE 570 DEED RECORDS OF TRAVIS
COUNTY, TEXAS.

ANGELINA ST.

2421001743
TED: April 30, 2002
Michael N. Castles

LandAmerica Title Company & Chicago Title Insurance Company, exclusively

I, undersigned, do hereby certify that the plat shown represents the results of a survey of the ground under my supervision and is true and correct and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, or improvements, visible utility easements, except as shown and the same as access to and from a dedicated roadway.

The property indicated hereon is located in Zone "X" (areas outside the 500 year floodplain) as shown on Community Panel Number 480624 0165 E of the FLOOD HAZARD RATE MAP prepared for the City of Austin, Texas by the Federal Emergency Management Agency.
Effective date: June 16, 1993

LEGEND
• REBAR FOUND

CRICHTON
AND ASSOCIATES
LAND SURVEYORS

107 N. LANPASA
ROUND ROCK, TEXAS 78664

GOVALLE STREET DEVELOPMENT
Request for Neighborhood Support
Term Sheet

DEVELOPMENT PROPOSAL

Esperanza Development proposes to subdivide two (2) large multifamily and single-family tracts into nineteen (19) single-family and two (2) multifamily MF-3 tracts

TRACT 1: 2.11 acres out of the Outlot 44, Division A, Travis County, Texas.

TRACT 2: 1.41 acres out of the Outlot 43, Division A, Travis County, Texas.

Zoning Changes, per exhibit A, attached

1. Downzone the Neal frontage of Tract 2 from MF3 to SF-4A.
2. Rezone the Govalle frontage of Tract 1 from SF3 to MF3
3. Rezone the Linden frontage of Tract 1 from SF3 to SF-4A

Neighborhood Plan Amendment

After review and approval, the Govalle/Johnston Terrace Neighborhood Planning Team

supports the Esperanza Development, conditional on the zoning changes and other stipulations stated herein,

And requests submission of this Neighborhood Plan Amendment on behalf of Esperanza Development and Govalle Partners Ltd.

OTHER STIPULATIONS:

1. 10' Landscape buffer from property line shared by multi-family and single-family tracts.
2. Emergency exit only from MF3 Tract 2 to Neal Street. All other multifamily exit and entrance on Govalle Street.
3. 10% multi-family units rented or sold to families at or below 50% MFI or a non-profit/low income housing provider. Restrictive Covenant binding future owners for 15 years.
4. 10% multi-family units rented or sold to families at or below 60% MFI or a non-profit/low income housing provider. Restrictive Covenant binding future owners for 15 years.
5. Reduce per §25-2-562 MF3 site area requirements by 30%.
6. No greater than 30% of the multi-family units will be efficiency units.
7. 20% of SF will be sold to families at or below 80% MFI per City's SMART Housing requirements or to a qualified CHDO (Community Housing Development Organization).

AGREED TO AND ACCEPTED BY:

Michael N. Casias

Esperanza Development Corporation

Date:

8/3/07

Daniel Llanes

Coordinator, Review Committee for
Govalle/Johnston Neighborhood Planning Team

Date:

8/3/07